

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AMY ERICKSON,

Plaintiff,

v.

KEVIN W. MORRIS,

Defendant.

CASE NO: 2:22-CV-0033-TOR

ORDER OF DISMISSAL

Federal Rule of Civil Procedure 4 provides that a summons and complaint must be served upon each defendant within 90 days of filing. Rule 4(m) also governs the procedure that a district court must follow in the event that service is not completed within 90 days:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).

1 Plaintiff filed a Complaint in this case on February 25, 2022. ECF No. 1.
2 On August 18, 2022, the Court issued an Order for Plaintiff to show cause why this
3 case should not be dismissed for failure to properly serve defendant and otherwise
4 prosecute the case. ECF No. 24. Plaintiff never responded, timely or otherwise.
5 Plaintiff has not given any explanation as to why Defendant has not been properly
6 served, nor has she asked for additional time. Thus, no “good cause” has been
7 shown to extend the time for service.

8 **ACCORDINGLY, IT IS HEREBY ORDERED:**

9 All claims and causes of action in this matter are **DISMISSED** without
10 prejudice.

11 The District Court Executive is hereby directed to enter this Order and
12 Judgment accordingly, furnish copies to Plaintiff and the parties, and **CLOSE** the
13 file.

14 DATED September 7, 2022.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge